

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

IN RE)	
)	
Bernadette A. Myers)	Case No. 19-11212 TPA
Debtor)	Chapter 13
)	
)	Docket No.
Bernadette A. Myers)	
Movant)	
)	
vs.)	
)	
AR Resources Inc., Apothaker Scian PC,)	
Caine & Weiner, JP Morgan Chase Bank)	
NA, Citibank North America, Citibank/)	
Home Depot, Colonial Savings & Loan,)	
Direct TV LLC, Discover Bank, Discover)	
Financial Services, Enhanced Recovery)	
Corp., First Federal Credit Control Inc.,)	
KML Law Group PC, Office of the United)	
States Trustee, PCA Acquisition V LLC,)	
PRA Receivables Management LLC,)	
Pennsylvania Department of Revenue,)	
PNC Bank Retail Lending, Portfolio)	
Recovery Associates LLC, SYNCB/PPC,)	
Synchrony Bank, Synchrony Bank/Amazon,)	
UPMC Health Services, UPMC Physician)	
Services, Verizon, Widget Federal Credit)	
Ronda J. Winnecour)	
Respondents)	

CONSENT ORDER APPROVING POSTPETITION AUTOMOBILE FINANCING

This matter comes before the Court upon the Consent Order to Approve Post-Petition Automobile Financing. Based upon the foregoing, and for good cause shown, it is hereby

ORDERED, ADJUDGED, and DECREED that:

1. The *Order* [Dkt. No. ____] is **GRANTED** as provided by the terms of this

Order. Debtor is authorized to obtain secured financing for the purchase of a new or used vehicle on the following terms:

- a) the total amount of financing **shall not exceed \$20,000.00**; and
- b) the monthly payments made under the financing agreement **shall not exceed \$450.00**;
- c) the interest rate **shall not exceed 21%**;

2. To the extent that Debtor secures financing for the purchase of a new or used vehicle, such payments **shall be made through the Chapter 13 plan**. Within **30 DAYS** of securing such financing, Debtor shall file:

- a) an amended Chapter 13 plan; and
- b) a report of financing

3. To ensure the prompt and timely payment of the automobile loan, Debtor shall make a supplemental payment to the Chapter 13 Trustee **within 7 days** of filing the report of financing (and each month thereafter as necessary) in an amount sufficient for the trustee to cover the installments due on the loan. The supplemental payments shall be in addition to the regular plan payment, pending confirmation of the amended plan.

4. The debtor was in an auto accident and her 2013 Hyundai Sonata was totaled. After the balance of the vehicle loan is paid off by the insurance company the remaining portion of the insurance proceeds of \$5,234.94 will be used for a down payment on a new or used vehicle. The debtor will remit \$1,234.94 to the Chapter 13 Trustee as this portion of the proceeds is not exempt. Amended Schedules B and C have been filed with the Court.

5. Pending confirmation of any amended plan providing for the new post-petition loan payments, the trustee is authorized to make monthly adequate protection payments for the new contract amount so long as sufficient supplemental funds are provided by Debtor.

6. Notwithstanding the inclusion of the post-petition loan within an amended Chapter 13 plan, the underlying terms of the loan shall not be modified absent the consent of the finance company.

7. Debtor shall serve copies of this *Order* on all creditors eligible to receive distributions through the Chapter 13 plan and file proof of the same with the Court.

Prepared by: Kenneth M. Steinberg

September 2, 2021
DATE

/s/ Kenneth M. Steinberg
Kenneth M. Steinberg, Esquire
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September 2, 2021
DATE

/s/ Katherine M. DeSimone
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UNITED STATES BANKRUPTCY JUDGE

Case Administrator to Mail to:

Debtor(s)

Counsel for Debtor(s)

Ronda J. Winnecour, Esq.

Office of the U.S. Trustee